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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
AKRON

**FILED** 

**MAY 07 2021**

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

Joseph M. Butler (Plaintiff)  
2435 Beech St 1  
Cuyahoga Falls, OH 44221  
(440) 477-8761  
jb12458@protonmail.com

Case No.

**5 :21 CV 955**

Judge:

vs.

**JUDGE PEARSON**

Magistrate:

Joseph R. Biden Jr. (Defendant)  
1600 Pennsylvania Ave NW  
Washington, D.C. 20500

**MAG. JUDGE HENDERSON**

**Complaint for a Civil Case**

## **Complaint**

### **I. Basis for Jurisdiction**

- a. Federal Question - Plaintiff is filing suit against Defendant for violations of Plaintiff's rights secured by the Constitution of the United States of America; specifically, for violations of the ninth amendment.
- b. As well, Plaintiff is filing suit for violations of the following federal laws: 18 U.S. Code S 241 "Conspiracy against rights"; 18 U.S. Code S 242 "Deprivation of rights under color of law"; 18 U.S. Code S 245 "Federally protected activities"; 18 U.S. Code S 247 "Damage to religious property; obstruction of persons in the free exercise of religious beliefs"; 18 U.S. Code S 373 "Solicitation to commit a crime of violence".

### **II. The Amount in Controversy**

- a. Plaintiff Joseph M. Butler is filing suit in the amount of \$200,000,000, or two hundred million United States dollars.

### **III. Statement of Claim**

On January 29, 2021, Michael S. Citron, in his role as "Director, Division of Global Migration and Quarantine" at the CDC, issued an order.

Said order, issued by Martin S. Cetron, states as follows: "Persons must wear masks

over the mouth and nose when travelling on conveyances into and within the United States. Persons must also wear masks at transportation hubs as defined in this order."

As the head of the Executive Branch of the United States Government, Joseph R. Biden is responsible for orders issued by an executive agency.

Through the issuance of a facial covering "order" on January 29, 2021, Joseph R. Biden is in violation of my rights as secured in the ninth amendment to the federal Constitution; Article I, Sections 1 and 20 of the Ohio Constitution; and, the following federal laws: 18 U.S. Code S 241 "Conspiracy against rights"; 18 U.S. Code S 242 "Deprivation of rights under color of law"; 18 U.S. Code S 245 "Federally protected activities"; 18 U.S. Code S 247 "Damage to religious property; obstruction of persons in the free exercise of religious beliefs"; 18 U.S. Code S 373 "Solicitation to commit a crime of violence".

Joseph R. Biden is also liable for violations of the following statutes of the Ohio Revised Code: 2903.13 "Assault," 2905.01 "Kidnapping," 2905.02 "Abduction," 2905.03 "Unlawful restraint," 2921.45 "Interfering with civil rights," 2921.52 "Using sham legal process," and 2923.02 "Attempt to commit an offense".

#### **IV. Relief**

In light of the above stated transgressions against myself by Joseph R. Biden, I hereby

request the following of the court:

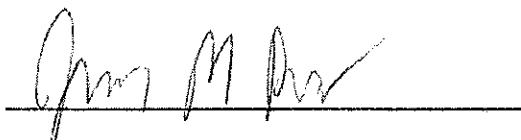
- a. **A judgement issued in the amount of \$200,000,000.**
  - i. Through the implementation of a facial covering "order" on January 29, 2021, Joseph R. Biden is guilty of the following violations of the Ohio Revised Code: three first degree felony counts (2905.01 "Kidnapping," 2923.02 "Attempt to commit an offense," and 2923.03 "Complicity"); one second degree felony count (2923.01 "Conspiracy"); two third degree felony counts (2905.02 "Abduction," and 2921.52 "Using sham legal process"); two counts of a first degree misdemeanor (2903.13 "Assault," and 2921.45 "Interfering with civil rights"); and one count of a third degree misdemeanor (2905.03 "Unlawful restraint"). In addition, Joseph R. Biden's violations of federal codes carry the following penalties: one count of a fine, and up to the years imprisonment (18 U.S. Code 241); two counts of a fine, and up to life imprisonment (18 U.S. Code 242, 18 U.S. Code 245); one count of a fine, and up to one year imprisonment (18 U.S. Code 247); and one count of a fine, and up to half the time of imprisonment as the penalty for the solicited crime (18 U.S. Code 373).
- b. **Strike the January 29, 2021 "facial covering order," and enjoin the Defendant from re-issuing any similar order in the future.**
- c. **Preliminary Injunctive Relief**
  - i. I request the court to issue a preliminary injunction for the "facial covering order" issued on January 29, 2021.

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**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.



05/07/21

Joseph M. Butler

*All Rights Reserved*

## Affidavit of Fact

I, "Joseph M. Butler", hereby declare this Affidavit of Fact under penalty of perjury. I am competent to state the facts herein.

1. As of January 29, 2021, Joseph R. Biden held the office of the President of the United States.
2. As the head of the Executive Branch of the United States government, Joseph R. Biden is responsible for all orders issued by an executive agency.
3. On January 29, 2021, Martin S. Cetron, holding the title of "Director, Division of Global Migration and Quarantine" at the CDC, issued an order.
4. Said order, issued by Martin S. Cetron, states as follows: "Persons must wear masks over the mouth and nose when travelling on conveyances into and within the United States. Persons must also wear masks at transportation hubs as defined in this order."
5. The ninth amendment to the Constitution of the United States, titled "Construction of Constitution," states as follows: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."
6. Article I, Section I of the Constitution of the State of Ohio, titled "Inalienable rights," states as follows: "All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life

and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety."

7. Article I, Section 20 of the Constitution of the State of Ohio, titled "Powers reserved to the people," states as follows: "This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers, not herein delegated, remain with the people."
8. Ohio Revised Code 2903.13 "Assault" states as follows: "(A) No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn. (B) No person shall recklessly cause serious physical harm to another or another's unborn."
9. Ohio Revised Code 2905.01 "Kidnapping" states as follows: "No person, by force, threat, or deception... shall knowingly do any of the following, under circumstances that create a substantial risk of serious physical harm to the victim: ...Restrain another of the other person's liberty."
10. Ohio Revised Code 2905.02 "Abduction" states as follows: "No person, without privilege to do so, shall knowingly do any of the following: ...By force or threat, restrain the liberty of another person under circumstances that create a risk of physical harm to the victim or place the other person in fear".
11. Ohio Revised Code 2905.03 "Unlawful restraint" states as follows: "No person, without privilege to do so, shall knowingly restrain another of the other person's liberty."
12. Ohio Revised Code 2921.45 "Interfering with civil rights" states as follows: "No

public servant, under color of his office, employment, or authority, shall knowingly deprive, or conspire or attempt to deprive any person of a constitutional or statutory right."

13. Ohio Revised Code 2921.52 "Using sham legal process" states as follows: "No person shall, knowing the sham legal process to be sham legal process, do any of the following: (1) Knowingly issue, display, deliver, distribute, or otherwise use sham legal process; (2) Knowingly use sham legal process to arrest, detain, search, or seize any person or the property of another person; (3) Knowingly commit or facilitate the commission of an offense, using sham legal process; (4) knowingly commit a felony by using sham legal process."
14. Ohio Revised Code 2923.02 "Attempt to commit an offense" states as follows: "No person, purposely or knowingly, and when purpose or knowledge is sufficient culpability for the commission of an offense, shall engage in conduct that, if successful, would constitute or result in the offense."
15. 18 U.S. Code S 241, titled "Conspiracy against rights," states as follows: "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same...They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to

commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both".

16. 18 U.S. Code S 242, titled "Deprivation of rights under color of law," states as follows: "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both".
17. 18 U.S. Code S 245, titled "Federally protected activities," states as follows: "(b) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with— 1) any person because he is or has been, or in order to intimidate

such person or any other person or any class of persons from— ... (E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or (2) any person because of his race, color, religion or national origin and because he is or has been— (B) participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any State or subdivision thereof".

18. 18 U.S. Code S 247, titled "Damage to religious property; obstruction of persons in the free exercise of religious beliefs," states as follows: "(a) Whoever, in any of the circumstances referred to in subsection (b) of this section— ... (2) intentionally obstructs, by force or threat of force, including by threat of force against religious real property, any person in the enjoyment of that person's free exercise of religious beliefs, or attempts to do so; shall be punished as provided in subsection (d)."
19. 18 U.S. Code 373, titled "Solicitation to commit a crime of violence," states as follows: "(a) Whoever, with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against property or against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, solicits, commands, induces, or otherwise endeavors to persuade such other person to engage in such conduct, shall be imprisoned not more than one-half the maximum term of imprisonment or (notwithstanding section 3571) fined not more than one-half of the maximum

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fine prescribed for the punishment of the crime solicited, or both; or if the crime solicited is punishable by life imprisonment or death, shall be imprisoned for not more than twenty years."

20. I, as a man, have a constitutional and lawful right to utilize public transportation with my face uncovered.

I, "Joseph M. Butler," declare under penalty of perjury that the above stated Affidavit of Fact is, to the very best of my knowledge, true, complete and correct.

JM

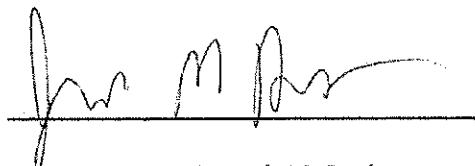
05/07/21

## AFFIDAVIT OF STATUS

I, "Joseph M. Butler," declare this affidavit under penalty of perjury. I am competent to state the facts herein.

1. I, a man, am at no higher or lower status than any other man or woman.
2. I reserve all rights as a person of the state of Ohio, a person of the United States of America, and a man.

I affirm, under penalty of perjury, that the above is true and correct.



*Joseph M. Butler*

05/07/21